



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 W. JACKSON BLVD  
CHICAGO, IL 60604

26 MAY 2011

EPA Region 5 Records Ctr.



388963

**MEMORANDUM**

**SUBJECT:** ACTION MEMORANDUM: Request for an Emergency Removal Action at the Bedford Anodizing Site, Macedonia, Summit County, Ohio (Site ID # C518)

**FROM:** Stephen Wolfe, OSC  
Emergency Response Branch 1, Section 1

**THRU:** Jason H. El-Zein, Chief  
Emergency Response Branch 1

**TO:** Richard C. Karl, Director *SDP for RK 5-26-11*  
Superfund Division

**I. PURPOSE**

The purpose of this memorandum is to request and document your approval to expend up to \$779,259 to conduct an emergency removal action at the Bedford Anodizing Site (the Site) located in Macedonia, Summit County, Ohio. On April 14, 2011, verbal authorization to spend up to \$50,000 was granted by the Chief of Emergency Response Branch 1 (ERB 1) to begin emergency removal actions to mitigate the release at the Site. On April 15, 2011, U.S. EPA met with the Emergency and Rapid Removal Services (ERRS) Response Manager for a Site walk. Site preparation and mobilization was initiated on April 22, 2011. On April 28, 2011, the verbal authorization for spending from the Chief of the ERB 1 was increased to \$200,000 to continue emergency removal actions. The proposed emergency removal action herein will mitigate the threat to public health, welfare, and the environment posed by the release of hazardous substances, and/or pollutants or contaminants to the environment.

The proposed removal action will be conducted in accordance with Section 104(a)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a)(1), to abate or eliminate the immediate threat posed to public health and/or the environment by the presence of the hazardous substances and/or pollutants or contaminants. The uncontrolled conditions of the hazardous substances and/or pollutants or contaminants present at the Site require that this action be classified as an emergency removal action. The project will require approximately 40 working days to complete.



There are no nationally significant or precedent setting issues associated with the Bedford Anodizing Site and the Site is not on the National Priorities List (NPL).

## **II. SITE CONDITIONS AND BACKGROUND**

CERCLIS ID: Pending

State ID: 1103-77-870

Category: Emergency Removal Action

Bedford Anodizing Company (Bedford Anodizing) operates an aluminum anodizing business at the Site, performing aluminum anodizing procedures on a variety of parts. Bedford Anodizing's facility, and the property on which it sits, is owned by a Bedford Anodizing Realty Co., Inc. (Bedford Realty). Bedford Anodizing and Bedford Realty appear to be owned by the same individual. Collectively, Bedford Anodizing and Bedford Realty will be referred to as "Bedford" in this memorandum.

On or about March 18, 2011, the Ohio Environmental Protection Agency (Ohio EPA) issued a Notice of Violation to Bedford Anodizing for an alleged discharge of wastewater/sludge into waters of the State. Bedford has repeatedly claimed lack of funds to perform the cleanup actions both directly and indirectly through legal counsel. Approximately a ½ mile of unnamed creeks has been affected by the release. Both creeks are tributaries to the Brandywine Creek, a recreational creek, which is located approximately 1 mile away from the Site.

### **A. Site Description**

#### **1. Removal Site Evaluation**

On March 21, 2011, the U.S. EPA On-Scene Coordinator (OSC) met with representatives from Ohio EPA and Bedford's owner to conduct a walkthrough of the affected areas. The OSC and representatives from Ohio EPA conducted a visual assessment of Site conditions. Ohio EPA collected samples of the released material for analysis of total and toxicity characteristic leaching procedure (TCLP) metals.

During the walkthrough of the Site, U.S. EPA and Ohio EPA observed that approximately 1,000 feet of the creek located behind Bedford's facility was impacted at a depth of approximately 1 foot to 3 feet deep. The released material had stopped migrating due to a beaver dam located in the middle of the creek. In addition, the released material had migrated into a storm sewer, which led to a second unnamed creek located to the west of Bedford's facility. The release impacted approximately 1,000 feet of the second creek. The released material was approximately 1-3 inches deep in the second creek. Ohio EPA instructed Bedford to build a dam in the second creek to keep the material from migrating further downstream. Ohio EPA also instructed Bedford to provide written work plans with a work schedule to clean up the release by March 25, 2011.



On March 30, 2011, representatives from U.S. EPA, Ohio EPA, Summit County Environmental Services, and Northeast Regional Sewer District met to discuss potential actions to address the release. U.S. EPA and Ohio EPA continued to work with Bedford to have it perform the work needed to address the release; however, no work plans, schedules or evidence of a contract to perform the work was provided by Bedford. U.S. EPA and Ohio EPA determined Bedford was not being responsive and failed to contain the released material.

On April 15, 2011, U.S. EPA met with the ERRS Response Manager to conduct a Site walk. A representative of Ohio EPA was present, as well as Bedford's owner. Bedford's owner indicated that he was waiting to hear from an insurance carrier about coverage for the costs of the clean up and should know by April 18 or 19, 2011. U.S. EPA and the ERRS Response Manager met with Bedford's owner again on April 21, 2011, and informed him that U.S. EPA will begin the Emergency Removal Action as no response has been initiated by Bedford.

## **2. Physical location**

The Site is located at 7860 Empire Parkway, Macedonia, Summit County, Ohio, 44056. The geographical coordinates for the Site are 41° 17' 35" North latitude and -81° 30' 1" West longitude. The Site where the release occurred is located in an industrial area surrounded by wetlands.

The neighboring property that was affected by the release via the storm sewer is comprised of 67 acres of wetlands and has a physical address of 7880 Empire Parkway, Macedonia, Summit County, Ohio. This property is surrounded by other wetlands and/or industrial properties.

## **3. Site characteristics**

In operating its aluminum anodizing business, Bedford Anodizing, discharges its wastewater first through an on-site treatment system and then into the sanitary sewer under a permit issued by Summit County. Based on information currently available, the sanitary sewer to which Bedford Anodizing discharged its wastewater became clogged and the material backed up, causing a release through a manhole onto the property surrounding Bedford's facility and into a storm sewer which exited into a creek on a neighboring property. Bedford Anodizing is currently operating; however, Bedford's owner has stated that the costs of performing the necessary cleanup actions would force Bedford Anodizing into bankruptcy.

## **4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant**

The release or threatened release into the environment of hazardous substances and/or pollutants or contaminants occurred when Bedford Anodizing's wastewater was discharged into two nearby creeks and onto the property surrounding Bedford's facility. Analytical results from the samples collected by Ohio EPA indicated that the released



material contained lead, nickel, chromium and zinc. In addition, the released material contained aluminum hydroxide. Aluminum hydroxide is a white powder which is used as a flocculant in waste water treatment.

## **5. NPL status**

There were no nationally significant or precedent setting issues associated with this Site and the Site is not on the National Priorities List (NPL).

## **6. Maps, pictures and other graphic representations**

Figure A-1 Ecological Assessment Map and A-2 Photo Log are included as attachments.

## **7. Environmental Justice Analysis**

The area surrounding the Bedford Anodizing Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ assist Tool (which applies the interim version of the national EJ strategic Enforcement Assessment Tool (EJSEAT). Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to U.S.EPA Region 5. The Site is in a census tract with a score of 5. Therefore, Region 5 does not consider this to be a high-priority potential EJ area of concern. Please refer to the attached EJ analysis for additional information (Attachment 1).

## **B. Other Actions to Date**

### **1. Previous actions**

The Summit County Environmental Services cleaned the affected portion of the sewer system. Bedford replaced its damaged lateral pipe, scraped the contamination from the ditch alongside its facility, and built a dam at the downstream end of the contamination on the neighboring property under direction of Ohio EPA.

### **2. Current actions**

U.S. EPA has mobilized their ERRS and START contractors to the site to begin removal of the released material from the creeks. As of the date of this Action Memorandum, dams have been installed to control water flow, and material has been removed from approximately 175 feet of the creek behind the facility.

## **C. State and Local Authorities' Roles**

### **1. State and local actions to date**

Ohio EPA issued a Notice of Violation to the facility's owner for the alleged unlawful discharge of sludge/wastewater into waters of the State and is continuing with



enforcement actions. Summit County Environmental Services issued changes to Bedford Anodizing's pretreatment permit, requiring more stringent sampling and discharge monitoring.

## **2. Potential for continued State/local response**

Ohio EPA and the Site owner/operators indicated they do not have the resources to perform a cleanup.

### **III. THREATS TO PUBLIC HEALTH OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES**

The conditions at the Bedford Anodizing Site present a substantial threat to the public health or welfare, and the environment, and meet the criteria for an emergency removal action as provided for in the NCP, 40 C.F.R. § 300.415(b)(2). These criteria include, but are not limited to, the following:

#### **Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;**

Waste containing hazardous substances and/or pollutants or contaminants has been released from Bedford's facility into two nearby creeks. The waste is as deep as 3 feet in some areas of these creeks. Water fowl (Canadian Geese) have been observed in the creeks, as well as other evidence of potential animal contact (e.g., beaver dam, animal prints in the material). The released material forms a gel when exposed to water and settles to the bottom of the affected waterbody, thereby increasing the risk of exposure to any burrowing animals and smothering benthic organisms. Bedford's facility itself is in a gated area; however, there is unobstructed access to the affected creeks, which are susceptible to trespass.

Ohio EPA analytical results show the material contained the following hazardous substances: lead (337 parts per million [ppm]), chromium (118 ppm), nickel (309 ppm), and zinc (119 ppm) Ohio EPA Sediment Reference Values for the detected hazardous substances are: lead (47 ppm), chromium (29 to 53 ppm), nickel (33 to 61 ppm), and zinc (100 to 190 ppm) as published in the Ohio EPA Ecological Risk Assessment Guidance. The released material, which includes aluminum hydroxide, exhibits a pH of 10. Aluminum hydroxide forms a gel on prolonged contact with water.

#### **Actual or potential exposure to nearby animal populations from hazardous substances and/or pollutants or contaminants**

The hazardous substances and/or pollutants or contaminants listed above pose threats to the animals that may inhabit the affected areas. The actual or potential ecological effects of these hazardous substances and/or pollutants or contaminants on



nearby animal populations are as follows.<sup>1</sup>

### **Lead**

Lead is cancer-causing, and adversely effects reproduction, liver and thyroid function, and disease resistance ([Eisler 1988b](#)). The main potential ecological impacts of wetland contaminants result from direct exposure of algae, benthic invertebrates, and embryos and fingerlings of freshwater fish and amphibians to lead. It can be [bioconcentrated](#) from water, but does not [bioaccumulate](#) and tends to decrease with increasing trophic levels in freshwater habitats (Wong et al. 1978; [Eisler 1988b](#)). Lead adversely affects algae, invertebrates, and fish. There are also limited adverse effects in amphibians, including loss of sodium, reduced learning capability, and developmental problems ([Horne and Dunson 1995](#); Freda 1991). Fish exposed to high levels of lead exhibit a wide-range of effects including muscular and neurological degeneration and destruction, growth inhibition, mortality, reproductive problems, and paralysis ([Eisler 1988b](#); [EPA 1976](#)). Lead adversely affects invertebrate reproduction; algal growth is affected. Lead partitions primarily to sediments, but becomes more bioavailable under low pH, hardness and organic matter content (among other factors). Lead bioaccumulates in algae, macrophytes and benthic organisms, but the inorganic forms of lead do not biomagnify.

At elevated levels in plants, lead can cause reduced growth, photosynthesis, mitosis, and water absorption ([Eisler 1988b](#)). Birds and mammals suffer effects from lead poisoning such as damage to the nervous system, kidneys, liver, sterility, growth inhibition, developmental retardation, and detrimental effects in blood ([Eisler 1988b](#); [Amdur et al. 1991](#)).

### **Chromium**

There is no significant [biomagnification](#) of chromium in aquatic food webs ([ATSDR, 1993](#)). However, there are a wide range of adverse effects in aquatic organisms. In benthic invertebrates there has been observed reduced fecundity and survival, growth inhibition, and abnormal movement patterns (U.S. EPA 1980b). Fish experienced reduced growth, chromosomal aberrations, reduced disease resistance, and morphological changes.

The toxic effects of chromium are primarily found at the lower trophic levels. The main potential ecological impacts result from direct exposure of algae, benthic invertebrates, and embryos and fingerlings of freshwater fish and amphibians to chromium. Chromium may bioaccumulate in algae, other aquatic vegetation, and [invertebrates](#), but it does not biomagnify. Chromium inhibits growth in duckweed and

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<sup>1</sup> The information for lead, chromium, nickel, and zinc was obtained from the U.S. EPA Ecological Risk Website (online address [www.epa.gov/region5superfund/ecology/html/toxprofiles.htm](http://www.epa.gov/region5superfund/ecology/html/toxprofiles.htm)). The information for aluminum hydroxide was obtained from Volume I of "Risk Management for Hazardous Chemicals" by Jeffrey W. Vinci.



algae, reduces fecundity and survival of benthic invertebrates, and reduces growth of freshwater fingerlings. It is cancer-causing, mutation-causing, and teratogenic.

### **Nickel**

Nickel is cancer-causing (carcinogen) and mutation-causing (mutagen). Some observed effects of nickel in aquatic environments include tissue damage, genotoxicity, and growth reduction ([Environment Canada 1994a](#)). Mollusks and crustaceans are more sensitive than other organisms.

### **Zinc**

In many types of aquatic plants and animals, growth, survival, and reproduction can all be adversely affected by elevated zinc levels ([Eisler 1993](#)). Zinc in aquatic systems tends to be partitioned into sediment and less frequently dissolved as hydrated zinc ions and organic and inorganic complexes ([MacDonald 1993](#)). Zinc is toxic to plants at elevated levels, causing adverse effects on growth, survival, and reproduction ([Eisler 1993](#)). Terrestrial invertebrates show sensitivity to elevated zinc levels, with reduced survival, growth, and reproduction. Elevated zinc levels can cause mortality, pancreatic degradation, reduced growth, and decreased weight gain in birds ([Eisler 1993](#); [NAS 1980](#)); and elevated zinc can cause a wide range of problems in mammals including: cardiovascular, developmental, immunological, liver and kidney problems, neurological, hematological (blood problems), pancreatic, and reproductive ([Eisler 1993](#); [Domingo 1994](#)).

### **Aluminum Hydroxide**

Aluminum hydroxide has both acute and chronic ecological effects. Its acute toxic effects may include the death of animals, birds, or fish and death of low or low growth rate in plants. The chronic toxic effects may include shortened life span, reproductive problems, lower fertility, and changes in appearance or behavior in exposed animals. Aluminum hydroxide has a slight chronic toxicity to aquatic life, which increases under alkaline conditions. Finally, aluminum hydroxide is highly persistent in water, with a half-life greater than 200 days. Based on the characteristics of aluminum hydroxide, as well as its presence in two streams, it is classified as a pollutant or contaminant for purposes of this removal action.

### **Actual or potential exposure to nearby human populations from hazardous substances and/or pollutants or contaminants**

The hazardous substances and/or pollutants or contaminants listed above may pose threats to nearby human populations. The actual or potential effects to nearby



human populations are as follows.<sup>2</sup>

### **Lead**

According to the ATSDR ToxFAQ for lead, exposure to humans can affect almost every organ and system in the body. The main target for lead toxicity is the nervous system, both in adults and children. Long-term exposure of adults can result in decreased performance in some tests that measure functions of the nervous system. It may also cause weakness in fingers, wrists, or ankles. Lead exposure also causes small increases in blood pressure, particularly in middle-aged and older people and can cause anemia. (ATSDR, 2007b).

### **Chromium**

According to the ATSDR ToxFAQ for Chromium, skin contact with certain chromium(VI) compounds can cause skin ulcers. Some people are extremely sensitive to chromium(VI) or chromium(III). Allergic reactions consisting of severe redness and swelling of the skin have been noted. Ingesting high levels of chromium(VI) may result in anemia or damage to the stomach or intestines.

The DHHS, IARC, and the EPA have determined that chromium(VI) compounds are known human carcinogens. In workers, inhalation of chromium(VI) has been shown to cause lung cancer. Chromium(VI) also causes lung cancer in animals. An increase in stomach tumors was observed in humans and animals exposed to chromium(VI) in drinking water. Chromium can easily change from one form to another in water and soil, depending on the conditions present. (ATSDR, 2008).

### **Nickel**

According to the ATSDR ToxFAQ for nickel, the most common harmful health effect of nickel in humans is an allergic reaction. Approximately 10-20% of the population is sensitive to nickel. Less frequently, some people who are sensitive to nickel have asthma attacks following exposure to nickel. Some sensitized people react when they consume food or water containing nickel or breathe dust containing it.

The DHHS has determined that nickel metal may reasonably be anticipated to be a carcinogen and that nickel compounds are known human carcinogens. The IARC has determined that some nickel compounds are carcinogenic to humans and that metallic nickel may possibly be carcinogenic to humans. The EPA has determined that nickel refinery dust and nickel subsulfide are human carcinogens. (ATSDR, 2005).

### **Zinc**

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<sup>2</sup> The information for lead, chromium, nickel, and zinc was obtained from the Agency for Toxic Substances and Disease Registry ToxFAQs (online address [www.ATSDR.CDC.gov/toxfaqs/index.asp#c](http://www.ATSDR.CDC.gov/toxfaqs/index.asp#c))



Agency for Toxic Substances and Disease Registry (ATSDR) ToxFAQ for zinc indicates that large doses taken by mouth even for a short time can cause stomach cramps, nausea, and vomiting. Taken longer, it can cause anemia and decrease the levels of your good cholesterol. The Department of Health and Human Services (DHHS) and the International Agency for Research on Cancer (IARC) have not classified zinc for carcinogenicity. (ATSDR, 2005)

**Actual or potential contamination of drinking water supplies or sensitive ecosystems;**

The waste had entered a storm sewer which emptied into a creek on a neighboring property designated as a wetland environment according to the studies conducted by the property owners. The creeks are tributaries to the Brandywine Creek, which is a tributary to the Cuyahoga River which flows through the Cuyahoga National Park and eventually empties into Lake Erie. The area surrounding the Site was screened for Ecological concerns using Region 5's EJ assist Tool. The area is in the National Wetlands Inventory and is also in the Great Lakes Area of Concern (see Figure A-1).

**Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;**

The wastewater/sludge has been released into two unnamed creeks. Heavy rains could wash the material further downstream, or flooding could cause the material to flow out of the creeks and into the wetlands. The wastewater/sludge, which contains hazardous substances and/or pollutants or contaminants, has been released into the environment and is up to 3 feet deep in the creeks. Left alone, the waste may migrate further downstream.

**The availability of other appropriate Federal or state response mechanisms to respond to the release;**

On March 21, 2011, Ohio EPA requested U.S.EPA's assistance in mitigating the potential threats at the Bedford Anodizing Site. Ohio EPA, the Site owner/operator, and Summit County have indicated they do not have the resources to perform a cleanup.

**IV. ENDANGERMENT DETERMINATION**

Given the Site conditions, the nature of the suspected hazardous substances and/or pollutants or contaminants on Site, and the potential exposure pathways described in Sections II and III above, actual or threatened releases of hazardous substances and/or pollutants or contaminants from this Site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare, or the environment.



## **V. PROPOSED ACTIONS AND ESTIMATED COSTS**

### **A. Proposed Actions Taken**

#### **1. Action description**

Removal activities on Site will include:

- a) Develop and implement a Site Health and Safety Plan and Site Security Plan;
- b) Construct access routes to the affected creeks and remove the material from the creeks;
- c) Re-route drainage water and creek;
- d) Characterize, and properly dispose of the released material;
- e) Decontaminate heavy equipment as necessary, and appropriately dispose of decontamination water.
- f) Post Removal Site Controls - The removal action will be conducted in a manner not inconsistent with the NCP. The OSC has initiated planning for provision of post-removal Site control consistent with the provisions of Section 300.415(l) of the NCP. Elimination of all threats presented by hazardous substances and/or pollutants or contaminants in the buildings is, however, expected to minimize the need for post-removal Site control.
- g) Off-Site Rule - All hazardous substances and/or pollutants or contaminants removed off-site pursuant to this removal action for treatment, storage, and disposal shall be treated, stored, or disposed of at a facility in compliance, as determined by EPA, with the EPA Off-Site Rule, 40 C.F.R. § 300.440.

#### **2. Contribution to remedial performance:**

The proposed action will not impede future actions based on available information.

#### **3. Engineering Evaluation/Cost Analysis (EE/CA)**

Not Applicable

#### **4. Applicable or Relevant and Appropriate Requirements (ARARs)**

All applicable, relevant, and appropriate requirements (ARARs) of Federal and State law will be complied with to the extent practicable considering the exigencies of the circumstances.



Federal  
RCRA Subtitle C

State

On April 22, 2011, an e-mail was sent to Mr. Bart Ray of Ohio EPA asking for any State of Ohio ARARs which may apply.

**5. Project Schedule**

The removal activities are expected to take 40 on-site working days to complete.

**6. Disproportionate Funding**

The response actions described in this memorandum directly address the actual or threatened release at the Site of hazardous substances and/or pollutants or contaminants, which may pose an imminent and substantial endangerment to public health, welfare, or the environment. EPA does not believe that these response actions will impose a disproportionate burden on the affected property.

**B. Estimated Costs**

The detailed cleanup contractor cost is presented in Attachment 2 and the Independent Government Cost Estimate is presented in Attachment 3. Estimated project costs are summarized below:

REMOVAL ACTION PROJECT CEILING ESTIMATE	
<b><u>Extramural Costs:</u></b>	
<b><u>Regional Removal Allowance Costs:</u></b>	
Total Cleanup Contractor Costs	\$591,133
(This cost category includes estimates for ERRS, subcontractors, Notices to Proceed, and Interagency Agreements with Other Federal Agencies. Include a 10-20% contingency)	
<b><u>Other Extramural Costs Not Funded from the Regional Allowance:</u></b>	
Total START, including multiplier costs	\$ 58,250
Total Decontamination, Analytical & Tech. Services (DATS)	\$ 0
Total CLP	\$ 0
Subtotal	\$ 58,250
Subtotal Extramural Costs	\$ 649,383
Extramural Costs Contingency (20%)	\$ 129,876
(20% of Subtotal, Extramural Costs rounded to nearest thousand)	
<b>TOTAL REMOVAL ACTION PROJECT CEILING</b>	<b>\$779,259</b>



**VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN**

Contamination may migrate from the Site to nearby creeks or wetlands if action is delayed or not taken. Furthermore, delayed action may increase the risk to the environment and animal populations if the hazardous substances and/or pollutants or contaminants in the affected streams are not addressed.

**VII. OUTSTANDING POLICY ISSUES**

None

**VIII. ENFORCEMENT**

For administrative purposes, information concerning the enforcement strategy for this Site is contained in the Enforcement Confidential Addendum.

The total USEPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be \$1,349,702.<sup>1</sup>

$$(\$779,259 + \$50,000) + (62.76\% \times \$829,259) = \$1,349,702$$

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<sup>1</sup> Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

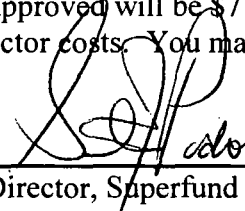


## IX. RECOMMENDATION

This decision document represents the selected removal action for the Bedford Anodizing Site, located at 7860 Empire Parkway, Macedonia, Summit County, Ohio. It was developed in accordance with CERCLA, as amended, and is not inconsistent with the NCP. This decision is based upon the Administrative Record for the Site (Attachment 4). Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a removal action and I recommend your approval of the proposed removal action.

The project ceiling previously approved was \$200,000. The total removal action project ceiling if approved will be \$779,259. Of this, an estimated \$721,009 may be used for cleanup contractor costs. You may indicate your decision by signing below.

APPROVE

 for RK  
Director, Superfund Division

DATE: 5-26-11

DISAPPROVE

\_\_\_\_\_  
Director, Superfund Division

DATE: \_\_\_\_\_

### Enforcement Addendum

#### Figure:

- A-1: Ecological Assessment Map
- A-2: Photo Log

### Attachments

1. Environmental Justice Analysis
2. Detailed Cleanup Contractor Cost Estimate
3. Independent Government Cost Estimate
4. Administrative Record Index

cc: S. Fielding U.S. EPA 5202 G (email: Fielding.Sherry/DC/USEPA/US)  
M. Chezik, U.S. Department of Interior, w/o **Enf. Addendum**  
(email: michael\_chezik@ios.doi.gov)  
Scott Nally, Director, OEPA, w/o **Enf. Addendum**  
(email: scott.nally@epa.state.oh.us)  
Mike DeWine, Ohio Attorney General, w/o **Enf. Addendum**  
(email: Dale.Vitale @ohioattorneygeneral.gov)



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**ENFORCEMENT CONFIDENTIAL ADDENDUM**

**BEDFORD ANODIZING CO. SITE  
MACEDONIA, SUMMIT COUNTY, OHIO**

**MAY 2011**

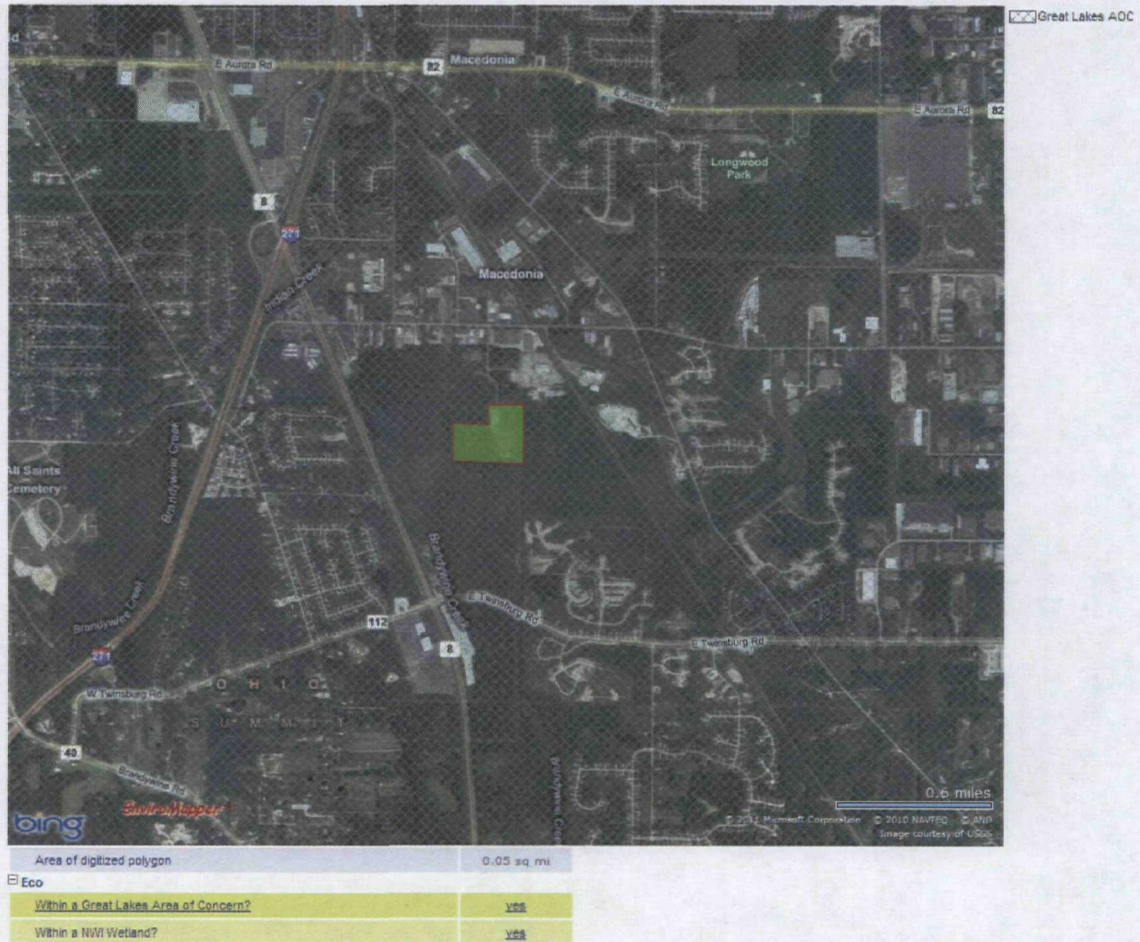
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**ENFORCEMENT CONFIDENTIAL  
NOT SUBJECT TO DISCOVERY**



FIGURE A-1

ECOLOGICAL ASSESSMENT MAP  
BEDFORD ANODIZING SITE  
MACEDONIA, OHIO





**FIGURE A-2**

**PHOTO LOG**



View of material in creek behind the facility.



Close up of material in creek.





View of material settled to the bottom of the creek.



View of material exiting the storm sewer into a creek on neighboring property.





View of material in creek on a neighboring property.



## ATTACHMENT 1

### **Environmental Justice Analysis Bedford Anodizing Site Macedonia, OH May 2011**

The area surrounding the Bedford Anodizing Site was screened for Environmental Justice (EJ) concerns using Region 5's EJ assist Tool (which applies the interim version of the national EJ strategic Enforcement Assessment Tool (EJSEAT)). Census tracts with a score of 1, 2, or 3 are considered to be high-priority potential EJ areas of concern according to EPA Region 5. The Bedford Anodizing Site is in a census tract with a score of 5. Therefore, Region 5 does not consider this to be a high-priority potential EJ area of concern.

**Bedford Anodizing Site Map Showing EJ SEAT Values For Surrounding Area**





## **ATTACHMENT 2**

**DETAILED CLEANUP CONTRACTOR COST ESTIMATE**

**BEDFORD ANODIZING SITE  
MACEDONIA, SUMMIT COUNTY, OHIO**

**(REDACTED 1 PAGE)**

**NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION**



# **ATTACHMENT 3**

## **INDEPENDENT GOVERNMENT COST ESTIMATE**

**BEDFORD ANODIZING SITE  
MACEDONIA, SUMMIT COUNTY, OHIO**

**MAY 2011**

**NOT RELEVANT TO THE SELECTION OF THE REMOVAL ACTION**

**(REDACTED 2 PAGES)**



## ATTACHMENT 4

### U.S. ENVIRONMENTAL PROTECTION AGENCY REMOVAL ACTION

#### ADMINISTRATIVE RECORD FOR BEDFORD ANODIZING SITE MACEDONIA, SUMMIT COUNTY, OHIO

ORIGINAL  
MAY 2011

<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1	03/18/11	Ray, B., Ohio EPA	Bedford Anodizing	Notice of Violation at the Bedford Anodizing Facility	1
2	03/21/11	National Response Center	File	NRC Report for March 18, 2011 Incident at the Bedford Anodizing Site	3
3	03/23/11	Koncelik, J., Frantz Ward, LLP	Ray, B., Ohio EPA	Letter re: Response to Ohio EPA March 18, 2011 Notice of Violation to Bedford Anodizing w/Attachment	7
4	03/25/11	Harnak, B., Summit County, Ohio	Koncelik, J., Frantz Ward, LLP	Letter re: Wastewater Discharge Permit and Connection of Repaired Lateral at the Bedford Anodizing Site w/Attached Amended Permit	11
5	03/29/11	Test America Laboratories, Inc.	Ohio EPA	Preliminary Data Summary for Samples taken at the Bedford Anodizing Site	5
6	03/30/11	Ray, B., Ohio EPA	Wolfe, S., U.S. EPA	E-mail Message re: Explanation of Sample Results from the Bedford Anodizing Site	2
7	03/31/11	Navarre, M., Ohio EPA	Koncelik, J., Frantz Ward, LLP	Letter re: Ohio EPA Re- jects Bedford Anodizing Request for Ohio EPA to Revoke Notice of Violation Dated March 21	1
8	04/08/11	Koncelik, J., Frantz Ward, LLP	Navarre, M., Ohio EPA, Wolfe, S. US EPA, et al	E-mail Message re: Bedford Anodizing financial constraints	2
9	04/08/11	Steinbauer, G. US EPA	Koncelik, J., Frantz Ward, LLP	E-mail Message re: notice US EPA will perform removal under CERCLA and seek cost recovery	3



<u>NO.</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
10	04/14/11	Durno, M., U.S. EPA	Norman, C., & S. Wolfe, U.S. EPA	E-mail Message re: Approval of Initial Funding of \$50,000 for Response Actions at the Bedford Anodizing Site	1
11	04/22/11	Wolfe, S., U.S. EPA	Ray, B. Ohio EPA	E-mail Message re: U.S. EPA Request for Ohio EPA to Identify any ARARs for the Bedford Anodizing Site	1
12	00/00/00	Jansen, S. US EPA	DeWeese, T. Bedford Anosizing	General Notice of Potential Liability letter (PENDING)	
13	00/00/00	Wolfe, S., U.S. EPA	Karl, R., U.S. EPA	Action Memorandum: Request for an Emergency Removal Action at the Bedford Anodizing Site (PENDING)	